

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

WARNER BROS. RECORDS, INC.,)
et al.,)
)
Plaintiffs,)
)
)
vs.) No. 4:06-CV-1152 (CEJ)
)
)
TOM HELLER,)
)
)
Defendant.)

PERMANENT INJUNCTION

IT IS HEREBY ORDERED that plaintiffs' motion for a permanent injunction is **granted**.

IT IS FURTHER ORDERED that defendant Tom Heller, his agents, servants, employees and representatives, and all others acting in concert with him are hereby enjoined and restrained from directly infringing plaintiffs' rights in the following copyrighted sound recordings:

1. "The Visit," on album *Yes!*, by artist Chad Brock (SR # 279-964).
2. "Still the Same," on album *Stranger in Town*, by artist Bob Seger (SR # 5-591);
3. "Where the Blacktop Ends," on album *Keith Urban*, by artist Keith Urban (SR # 273-265);
4. "Come As You Are," on album *Nevermind*, by artist Nirvana (SR # 135-335);

5. "Any Man of Mine," on album *The Woman in Me*, by artist Shania Twain (SR # 207-884);
6. "Cowboy Take Me Away," on album *Fly*, by artist Dixie Chicks (SR # 275-086);
7. "She Used to Be Mine," on album *Hard Workin' Man*, by artist Brooks & Dunn (SR # 168-005);
8. "Baptism," on album *Everywhere We Go*, by artist Kenny Chesney (SR # 263-302);
9. "Don't Happen Twice," on album *Greatest Hits*, by artist Kenny Chesney (SR # 277-700);
10. "Song of the South," on album *Southern Star*, by artist Alabama (SR # 100-925);

and in any other sound recording, whether now in existence or later created, that is owned or controlled by plaintiffs (or any parent, subsidiary, or affiliate record label of plaintiffs) ("Plaintiffs' Recordings"), including without limitation by using the Internet or any online media distribution system to reproduce (i.e. download) any of Plaintiffs' Recordings, to distribute (i.e. upload) any of Plaintiffs' Recordings, or to make any of Plaintiffs' Recordings available for distribution to the public, except pursuant to a lawful license or with the express authority of plaintiffs. Defendant shall also destroy all copies of Plaintiffs' Recordings that defendant has downloaded onto any computer hard drive or server without plaintiffs' authorization and shall destroy all copies of those downloaded recordings transferred onto any physical

medium or device in defendant's possession, custody, or control.


CAROL E. JACKSON
UNITED STATES DISTRICT JUDGE

Dated this 13th day of November, 2006.